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INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Ronald E. Smith
Attn:	Michael A. Brown	Client:	1320.02
Fax:	(703) 872-9306	Pages:	15 including coversheet
Phone:	(703) 308-2682	Date:	June 7, 2005
Re:	USSN 09/682,353	CC:	Bailey Walsh & Co.

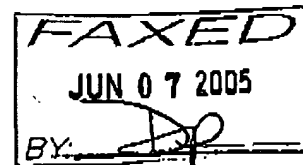
☐ Urgent    ☒ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

Dear Examiner Brown:

In response to the non-final office action mailed on March 22, 2005, we enclose the following:

- 1) Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated June 7, 2005 (2 pages); and
- 2) Amendment B with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated June 7, 2005 (12 pages).

Very respectfully,

Ronald E. Smith  
Reg. No. 28,761

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED**  
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**JUN 07 2005**

Application No. : 09/682,353  
Applicant: : Richard M. Hall  
Filed: : 08/24/2001  
Art Unit : 3764  
Examiner : Michael A. Brown  
  
Docket No. : 1320.02  
Customer No. : 21901  
For : Obesity Treatment Aid

Confirmation No.: 8397

Faxed to Technology Center 3700 at (703) 872-9306  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicant is an independent inventor. A statement was already filed.

**EXTENSION OF TERM**

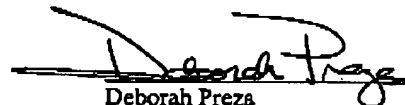
3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that an extension of term is required. A Petition and Fee for Extension of Time is attached hereto.

**CERTIFICATE OF FACSIMILE TRANSMISSION**

(37 C.F.R. 1.8 (a))

I HEREBY CERTIFY that this Amendment A, including Introductory Comments, Amendments to the Specification, Amendments to the Claims, and Remarks, is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 3764, Attn: Mr. Michael A. Brown, (703) 872-9306, on June 7, 2005.

Dated: June 7, 2005

  
Deborah Preza

(Amendment Transmittal—page 1)

**FEE FOR CLAIMS**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col.2)	(Col.3)	SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee
Total	34	Minus	35	= 0	x \$25 =	\$0
Indep.	4	Minus	5	= 0	x \$100 =	\$0
First Presentation of Multiple Dependent Claim					+ \$180 =	\$0
Total					Addit. Fee	\$0

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
  - \*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
  - \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

Very respectfully,

  
SIGNATURE OF PRACTITIONER

Reg. No. 28,761  
Tel. No.: (727) 507-8558

Ronald E. Smith  
Smith & Hopen, P.A.  
15950 Bay Vista Drive, Ste. 220  
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(Amendment Transmittal—page 2)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/682,353 Confirmation No.: 8397  
Applicant: : Richard M. Hall  
Filed: : 08/24/2001  
TC/A.U. : 3764  
Examiner : Michael A. Brown  
  
Docket No. : 1320.02  
Customer No. : 21,901  
For : Obesity Treatment Aid

Faxed to Technology Center 3700 at (703) 872-9306  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT B

Introductory Comments

Sir:

In response to the Examiner's Action mailed 03/22/2005, having a shortened statutory period for response set to expire 06/22/2005, the above-identified patent application is amended a second time as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims that begins on page 4 of this paper.

**Remarks** begin on page 10 of this paper.